



NATIONAL CATTLEMEN'S BEEF ASSOCIATION
CENTER FOR PUBLIC POLICY

May 26, 2023

Brian Nickel
US EPA Region 10
1200 Sixth Ave. (OWW-191)
Seattle, WA 98101

Subject: Public Notice Comments: NPDES Permit No. WA0050202
Washington Beef, LLC - Toppenish Plant

Mr. Nickel:

The National Cattlemen's Beef Association, Washington Cattle Feeders' Association, and Idaho Cattlemen's Association appreciate the opportunity to provide input on the Environmental Protection Agency's (EPA) draft National Pollutant Discharge Elimination System (NPDES) permit (No. WA0050202) for the Washington Beef processing plant in Toppenish, WA. Washington Beef is a good environmental actor, important provider of U.S. made protein for American families, and vital employer in Yakima County, Washington and has been operating under a previous NPDES permit without issue since 2010. The EPA's proposed NPDES permit for Washington Beef changes permit limits based on new standards without EPA properly going through the rulemaking process. We note that EPA recently published a draft Federal Baseline Water Quality Standards for Indian Reservations at 88 Fed. Reg. 29496 (May 5, 2023) that likely could impact Washington Beef's NPDES Permit. Until that Baseline Rule is finalized, after public comment from dischargers like Washington Beef and impacted communities, EPA should not reissue an NPDES Permit to Washington Beef. Additionally, EPA should engage with Washington Beef's technical experts to determine what limits are achievable before finalizing any Permit.

Of particular concern is the agency's apparent lack of clear justification or previous violations to support the significant proposed changes. The result is an action that unnecessarily threatens the viability of a mid-size processing plant, putting communities in Eastern Washington at significant risk of job loss and adverse economic impact, without a clear reason for doing so given Washington Beef's track record of environmental responsibility.

Washington Beef is a critical member of the Eastern Washington community, employing approximately 1,000 workers and it is one of the largest private employers in Yakima County. These jobs generated over \$59 million in wages, disbursements, and employer-paid benefits in 2022, with over \$57 million earned by workers who reside in Yakima County. The broader impact of this economic activity supports approximately 3,500 jobs in Washington State, generating more than \$2.1 billion in business output or revenues.

Not only would losing such a vital employer and community partner be devastating to our region, but it would also be a major blow to the current Administration's focus to reduce packer concentration, threatening the viability of a critical mid-sized, family-owned entity. We recognize that EPA is not an economic development agency, but these factors must be considered, especially in cases where no environmental justification exists for a proposed action.



Creating and updating permit limits is best done in collaboration and meaningful engagement with the entities receiving permits. We respectfully ask that the EPA delay issuance of Washington Beef's NPDES Permit until the Baseline Standards are finalized and provide Washington Beef the opportunity to engage in the permitting process including technical review to determine what permit limits are reasonable and achievable in a new NPDES permit.

Sincerely,

National Cattlemen's Beef Association

Washington Cattle Feeders Association

Idaho Cattlemen's Association